

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JOSEF A. KOHEN, BREAKWATER  
TRADING LLC, and RICHARD HERSHEY,

Plaintiffs,

v.

PACIFIC INVESTMENT MANAGEMENT  
COMPANY LLC, and PIMCO FUNDS,

Defendants.

No. 05 C 4681

Hon. Ronald A. Guzman

**APPENDIX OF EXHIBITS TO PIMCO'S MEMORANDUM IN SUPPORT OF  
MOTION TO EXCLUDE CERTAIN EXPERT TESTIMONY OF DR. CRAIG  
PIRRONG**

**Exhibit 1** – Excerpts from the June 28, 2006 Deposition of Christopher L. Gilbert (“First Gilbert Dep.”)

**Exhibit 2** – February 16, 2006 Affirmation of Christopher L. Gilbert (“First Gilbert Affirm.”)

**Exhibit 3** – August 30, 2006 Affirmation of Christopher L. Gilbert (“Second Gilbert Affirm.”)

**Exhibit 4** – Expert Report of Dr. Craig Pirrong

**Exhibit 5** – Amendment to the Expert Report of Dr. Craig Pirrong

**Exhibit 6** – Excerpts from the March 27, 2007 Deposition of Craig Pirrong (“First Pirrong Dep.”)

**Exhibit 7** – Excerpts from the July 23, 2007 Deposition of Craig Pirrong (“Second Pirrong Dep.”)

**Exhibit 8** – Excerpts from the July 19, 2007 Deposition of Christopher L. Gilbert (“Second Gilbert Dep.”)

**Exhibit 9** – Futures Valuation Reports dated April 11, 2005 through May 6, 2005

**Exhibit 10** – Excerpts from the Rebuttal Report of Michael L. Hartzmark, Ph.D.

**Exhibit 11**– Defendants’ Deposition Exhibit No. 43, November 30, 2005 Informational Memorandum from the Division of Market Oversight to the Commodity Futures Trading Commission (“CFTC Memorandum”)

**Exhibit 12** – Excerpts from the June 23, 2006 Deposition of Thomas Rubio

**Exhibit 13** – Craig Pirrong, *“Squeezes, Corpses, and the Anti-Manipulation Provisions of the Commodity Exchange Act,”* 4 Regulation 52 (1994)

**CERTIFICATE OF SERVICE**

I, Steven E. Sexton, an attorney, hereby certify that I have served copies of the foregoing Appendix of Exhibits to PIMCO's Memorandum in Support of Motion to Exclude Certain Expert Testimony of Dr. Craig Pirrong upon the following individuals by ECF Notification and E-Mail on February 6, 2008.

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